

REMARKS/ARGUMENTS

Claims 9 and 36 have been amended. Claims 2-15, 17-31, 36 and 37 are in this application.

Claims 2-10, 14-15, 17-26, 30-31 and 36-37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tokyo Shibaura Electric Co. (9-179549) and Walden (U.S. Patent No. 4,081,850). In addition, claims 11-13 and 27-29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tokyo Shibaura Electric Co., Walden and Mill (U.S. Patent No. 6,353,870).

Amended independent claim 36 now recites in part the following:

a housing case having one end side opposite an other end side;

a manipulating unit configured to be arranged on a plane perpendicular to a longitudinal direction of said housing case at the one end side;

a power supply unit configured to contain a power supply and to be arranged at the other end side of the housing case, wherein, when the power supply is within the power supply unit, a center of gravity of the device is substantially at the other end side in the longitudinal direction of the housing case

(Emphasis added). Accordingly, the device of claim 36 may include a power supply unit arranged at an other end side of a housing case of the device, where the power supply unit is configured to contain a power supply, such as a dry battery, and where, when the power supply is within the power supply unit, the center of gravity of the device is substantially at the center in a longitudinal direction of the housing case which contains the power supply unit. (See specification, for example, at pg. 14, ln. 11-21 and pg. 16, ln. 8-10).

Although Tokyo Shibaura Electric and Walden appear to disclose a portable recording and/or reproducing device that may contain a power supply, the portions of Tokyo Shibaura Electric

and Walden applied in combination by the Examiner do not appear to disclose a power supply unit having all of the above-identified features recited in amended claim 36. Nowhere do the applied portions of Tokyo Shibaura Electric and Walden disclose or suggest arranging a power supply unit configured to contain a power supply at an other end side of a housing case which contains the power supply unit, as required by claim 36.

Accordingly, it is respectfully submitted that amended independent claim 36 is distinguishable from the combination of Tokyo Shibaura Electric and Walden applied by the Examiner.

Claims 2-10, 14-15, 17-26, 30-31 and 37 depend from independent claim 36. It is, therefore, respectfully submitted that claims 2-10, 14-15, 17-26, 30-31 and 37 are distinguishable from the combination of Tokyo Shibaura Electric and Walden applied by the Examiner for at least the reasons previously described with respect to claim 36, and because of the additional restrictions they require.

Further, claims 11-13 and 27-29 depend from independent claim 36. Consequently, claims 11-13 and 27-29 are distinguishable from the combination of Tokyo Shibaura Electric and Walden applied by the Examiner for at least the reasons previously described with respect to claim 36. In addition, the Examiner does not appear to rely on Mills to overcome the above-described deficiencies of Tokyo Shibaura Electric and Walden. Accordingly, it is also respectfully submitted that dependent claims 11-13 and 27-29 are distinguishable from the combination of Tokyo Shibaura Electric, Walden and Mills applied by the Examiner for at least the reasons previously described with respect to claim 36, and because of the additional restrictions they require.

In view of the above, each of the presently pending claims in this application is believed to be in immediate

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Docket No.: SONYJP 3.3-734

condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 26, 2009

Respectfully submitted,

By 

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